

The Honorable J. Kelley Arnold

UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WASHINGTON
AT TACOMA

KELLY D. MYERS-CLARK, Personal
Representative of the ESTATE OF
CHRISTOPHER M. CLARK,

Plaintiff,

v.

FRAHLER ELECTRIC COMPANY, a
Foreign Corporation; and YORKE & CURTIS,
INC., a Foreign Corporation,

Defendants.

NO. 3:05-cv-05553-JKA

ORDER APPOINTING SETTLEMENT
GUARDIAN AD LITEM PURSUANT
TO FRCP 17 AND SPR 98.16W

THIS MATTER having come on before the United States District Court upon the Petition of Keith L. Kessler and Stritmatter Kessler Whelan Coluccio, co-counsel for Plaintiff, this Court having before it the records and files of this cause, and having reviewed the Petition filed herein seeking the appointment of a Settlement Guardian ad Litem, this Court FINDS as follows:

1. That the settlement proceeds in the amount of \$900,000 must be properly distributed among the beneficiaries of the Estate of Christopher M. Clark;

2. The interests of K.C., a minor child of Christopher M. Clark and a beneficiary of his estate, must be protected in the course of the distribution of the proceeds of the settlement

1 agreement;

2 3. Attorney Jack Welch has the appropriate expertise and background to serve as
3 Settlement Guardian ad Litem for the minor child; and

4 4. The settlement proceeds in this matter should be distributed in accordance with a
5 plan submitted by the Settlement Guardian ad Litem as to the minor child, and approved by this
6 Court.

7 Upon the basis of these FINDINGS, this Court hereby ORDERS as follows:

8 1. Attorney Jack Welch is herewith appointed Settlement Guardian ad Litem for
K.C., a minor child;

9 2. The Settlement Guardian ad Litem shall familiarize himself with the facts of this
10 case and the settlement agreement reached between the parties, and shall evaluate that settlement
11 and a proposed distribution plan taking into account the best interests of the minor child, K.C.;

12 3. The Settlement Guardian ad Litem shall prepare a Report to this Court
13 recommending a distribution of settlement proceeds taking into account the best interests and
14 needs of the minor child, K.C.

15
16 DATED: March 14, 2007.

17
18 /s/ J. Kelley Arnold
19 The Honorable J. Kelley Arnold
Judge

20 Presented by:

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22 _____
23 KEITH L. KESSLER, WSBA #4720
24 Of Stritmatter Kessler Whelan Coluccio
Petitioner

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